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20 UNITED STATES DISTRICT COURT

21 FOR THE NORTHERN DISTRICT OF CALIFORNIA

22 SAN FRANCISCO DIVISION

23 AMERICAN FEDERATION OF
24 GOVERNMENT EMPLOYEES, AFL-CIO;
25 AMERICAN FEDERATION OF STATE
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO; et al.,

Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**DECLARATION OF EILEEN B.
GOLDSMITH IN SUPPORT OF
PLAINTIFFS' EX PARTE MOTION FOR
TEMPORARY RESTRAINING ORDER
(Civ. L.R. 65-1(a)(5))**

DECLARATION OF EILEEN B. GOLDSMITH

I, Eileen B. Goldsmith, declare as follows:

1. I am a member in good standing of the State Bar of California and the bar of this Court. I represent all of the Plaintiffs in this action. I make this declaration pursuant to Local Rule 65-1(a)(5) regarding notice of this TRO motion.

2. Plaintiffs filed this action the evening of February 19, 2025. The following day, I
February 20, in order to provide notice of this action to the Defendants as quickly as possible, I
identified through PACER searches the attorneys at the U.S. Department of Justice who have
represented the Office of Personnel Management and Acting OPM Director Charles Ezell in other
very recent cases, *National Treasury Employees Union v. Trump*, D.D.C. Case No. 1:25-cv-0420, and
American Federation of Government Employees, AFL-CIO v. Ezell, D. Mass. Case No. 1:25-10276-
GAO. I emailed the complaint and initial supporting documents to each of those attorneys (except
for one who was based in Boston, Massachusetts) and requested that the government accept service
of the complaint. Later that day, as I received the conformed summonses and additional case opening
notices through ECF, I emailed those documents to the same group of attorneys.

3. I have not yet received any response from any of the attorneys I contacted on February 20, or from anyone else at the Department of Justice, in response to my emails. As of today, Sunday February 23, 2025, we have not yet been able to effectuate service of the complaint and case opening papers on the Department of Justice.

4. On February 23, 2025, at approximately 9 p.m., at my direction, my staff served the First Amended Complaint, the Motion for a Temporary Restraining Order, and all supporting documents by email on Patrick Robbins, Acting U.S. Attorney for the Northern District of California, and Michelle Lo, Chief of the Civil Division of the U.S. Attorney's office for the Northern District of California, as well as all of the attorneys I reached out to on February 20, as set forth on the proof of service filed with the TRO Motion and Amended Complaint. I obtained Mr. Robbins' email address Declaration of Eileen B. Goldsmith, No. 3:25-cv-01780-WHA

from the State Bar of California, and Ms. Lo's email address from the website of the U.S. Attorney's office. My staff have been directed to hand-deliver, and thereby serve, all papers filed to date in this case on the Office of the U.S. Attorney for the Northern District of California, first thing in the morning on Monday, February 24, 2025.

5. Plaintiffs are also filing an administrative motion for additional pages for their Memorandum in support of the TRO Motion. Plaintiffs have been unable to obtain a stipulation from Defendants for this administrative motion because no attorneys from the Department of Justice have responded to my emails regarding this case. At my direction, staff have included that motion and proposed order along with the other filings served by e-mail and for hand service tomorrow.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on February 23, 2025, in Oakland, California.

/s/Eileen B. Goldsmith
Eileen B. Goldsmith